

DETAILED ACTION

Drawings

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to because figure 1 fails to clearly illustrate the subject matter. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or

Art Unit: 3725

"New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 8 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim to claims 6 and 7. See MPEP § 608.01(n). Accordingly, the claim 8 has not been further treated on the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-10 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 1 recites "in this way move". It is unclear what is referred to by "this way".

7. Claim 1 recites "the latter". It is unclear what is referred to by "the latter"

8. Claim 1 recites limitations such as "which", "whose" etc. It is unclear what are referred to by these limitations.

9. Claim 1 recites the limitation "the cylinder chamber". There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 3725

10. Claim 1 recites the limitation "the clamping cheeks". There is insufficient antecedent basis for this limitation in the claim.
11. Claim 2 recites the limitation "the actuation". There is insufficient antecedent basis for this limitation in the claim.
12. Claim 3 recites the limitation "the pump" and "the electrical drive mechanism". There is insufficient antecedent basis for this limitation in the claim.
13. Claims 1-10 are replete with limitations that lacks sufficient antecedent basis. Proper action is required.
14. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 1-4, 6-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amherd (US 6,510,723) in view of Heskey et al. (US 6,453,719).

In regard to **claims 1-2**, Amherd discloses a electrically-operated pressing tool [fig. 2], having a hydraulic pump [17] acting on a hydraulic piston-cylinder unit [21] which is functionally connected with a roller holder [3], whose rollers roll off [inside 3] on the

Art Unit: 3725

clamping cheeks [4] of clamping pliers [4] and in this way move the latter in relation toward each other, and that the pressing tool has an elastic hydraulic oil reservoir [28], as well as an actuating valve [31] for opening a passage from a feed line into a return line [29 and 30] between the hydraulic oil reservoir and the cylinder chamber [20] of the piston-cylinder unit.

Amherd does not disclose that the hydraulic oil reservoir is constituted by an elastic cuff which sealingly encloses the cylinder housing of the piston-cylinder unit at least partially.

However, Heskey discloses [fig. 4B] an elastic cuff [elastic bladder 224 which is the oil reservoir] which sealingly encloses the cylinder housing of the piston-cylinder unit [212]. Heskey mentions a flexible membrane or elastic cuff is used for fluid reservoir because it would shorten the length of the hydraulic tool and decrease the weight of the tool [column 1, lines 13-15]. Heskey also discloses an actuating button [fig. 2, 72].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Amherd by providing a surrounded elastic flexible membrane fluid reservoir and actuation mechanism as suggested by Heskey instead of a separate unit fluid reservoir in order to shorten the length of the hydraulic tool and decrease the weight of the tool.

In regard to **claims 3-4**, Heskey discloses [fig. 2] an actuating button [2] which releases actuating fluid from the reservoir and that the actuating valve [52] is in functional connection with an actuating tappet [72] which rests under spring tension against [or next to] the inside of the elastic cuff.

In regard to **claim 6**, Amherd discloses that part of the return passages [30] is in zero degrees inclined with the longitudinal axis of the cylinder housing.

In regard to **claim 7**, Heskey discloses that the elastic cuff increases volume [column 4, lines 60-64].

In regard to **claim 9**, Heskey discloses [fig. 4B] that the housing has two annular grooves for the elastic cuff [ends of the elastic cuff or bladder 224 has shape like annular bead and are sealed in the two annular grooves, see the figure 4B].

17. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 4 above, and further in view of Yasui et al. (US 5,195,354).

In regard to **claim 5**, Amherd in view of Heskey does not disclose a filter. However, Yasui discloses a oil filter [30] in connection with the reservoir 29.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Amherd with a oil filter as suggested by Yasui in order to removed any unwanted residue or particles from the oil that might block out oil passages of the hydraulic mechanism.

18. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 9 above, and further in view of Frenken (US 6,401,515).

In regard to **claim 10**, Amherd in view of Heskey fails to disclose binder wires to securely hold the annular beads in the annular groove. However, Frenken discloses [fig.

Art Unit: 3725

4] a reservoir 13 which has annular bead and the end which is sealed in an annular groove with a binder wire [see figure 4 and 5].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Amherd in view of Heskey with a binder wire as suggested by Frenken in order to make sure the annular beads does not shift away from the annular grooves when the tool shakes or is under operation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD YUSUF whose telephone number is (571) 270-7487. The examiner can normally be reached on Monday-Friday 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on (571) 272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3725

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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